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57TH CONGRESS, 1st Session. } SENATE. { DOCUMENT No. 451.

MEMORIAL ADDRESSES

ON THE

LIFE AND CHARACTER

OF

JAMES H. KYLE

(LATE A SENATOR FROM SOUTH DAKOTA),

DELIVERED IN THE

SENATE AND HOUSE OF REPRESENTATIVES,

FIFTY-SEVENTH CONGRESS,
FIRST SESSION.

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HON. JAMES H. KYLE

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Death of Hon. James H. Kyle.

Proceedings in the Senate.

December 2, 1901.

PRAYER.

Rev. W. H. Milburn, D. D., Chaplain to the Senate, offered the following prayer:

God of our fathers, Thy servants of this Chamber are come together for the opening of the Fifty-seventh Congress with kindly feelings each for the other, and impressed with the sense of duty as their tasks are opening before them. And yet there comes to us the oppressive sense of an unspeakable loss, the departure of our friend and brother, our father and the chief of the nation, by the hand of the assassin. O Lord God, let Thy pity and grace come to all the people of this land by reason of this unspeakable calamity. And as Thy servant, the widow, sits alone and bereft, may Thy comfort and consolation come to her.

And grant, O Lord, that we may duly feel the loss and sorrow attendant upon the departure from earth of a member of this body, a Senator from South Dakota.

Hear our devout prayers in behalf of Thy servant, the senior Senator from New Jersey, and grant that the means which are used for his recovery to health may be blessed by Thee, and may he come to his place upon this floor again crowned with Thy loving kindness.

Grant Thy grace to every member of this body, and to all who are dear to them, and so may the light and favor of God, our Father, be with us all, now and evermore. Amen.

DEATH OF SENATOR JAMES H. KYLE.

Mr. GAMBLE. Mr. President, it is my sad duty to formally announce to the Senate the death of my former colleague, the Hon. JAMES H. KYLE, who departed this life at his home in Aberdeen, S. Dak., on the 1st of July last, after a very brief illness.

This, perhaps, is not the time to speak of his character and of his services to his State and the nation. On some future occasion we shall ask that the ordinary business of the Senate be suspended in order that appropriate tribute may be paid to his memory. In the meantime I offer the following resolutions, and ask for their immediate consideration.

The PRESIDENT pro tempore. The Secretary will read the resolutions submitted by the Senator from South Dakota.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. JAMES H. KYLE, late a Senator from the State of South Dakota.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The resolutions were considered by unanimous consent and unanimously agreed to; and (at 2 o'clock and 4 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 3, 1901, at 12 o'clock m.

APRIL 11, 1902.

MEMORIAL SERVICES ON THE LATE SENATOR KYLE.

Mr. GAMBLE. I desire to give notice that on Saturday, the 19th instant, at 3 o'clock p. m., I shall submit resolutions com-

memorative of the life and character of my late colleague, the Hon. JAMES H. KYLE, and that I shall ask the Senate at that time to suspend its business in order that fitting tributes may be paid to his memory.

APRIL 19, 1902.

MEMORIAL ADDRESSES ON THE LATE SENATOR KYLE.

Mr. GAMBLE. Mr. President, I submit the resolutions which I send to the desk.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Secretary will read the resolutions submitted by the Senator from South Dakota.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. JAMES HENDERSON KYLE, late a Senator from the State of South Dakota.

Resolved, That the business of the Senate be now suspended, in order that fitting tribute may be paid to his memory.

Resolved, That the Secretary transmit to the family of the deceased a copy of these resolutions, with the action of the Senate thereon.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as an additional mark of respect, at the conclusion of these exercises the Senate do adjourn.

Address of Mr. Gamble, of South Dakota.

Mr. President: James Henderson Kyle was born at Cedarville, Greene County, Ohio, on the 24th day of February, 1854. He was of Scotch-Irish ancestry. His father's ancestors came from Scotland and settled in Pennsylvania at a very early period. His grandparents on his mother's side came from the north of Ireland.

Senator Kyle sprung from a strong, vigorous, and liberty-loving race. The Scotch-Irish has done heroic service in the cause of human liberty the world over. It has given to our own country many noble characters, who have rendered the highest service in every field of human endeavor. It has given to us soldiers and statesmen and scholars among the most illustrious in our history. I doubt if any race in proportion to its numbers has contributed so largely in forceful and high characters to the progress and development of mankind.

The family of the deceased were patriots and were not unworthy of the history or traditions of their race. His great-grandfather, with six great-uncles, served with credit in the war of the Revolution, while his father, inspired by their example and with devotion to his country, was a faithful soldier in the late civil war. Born of such blood and with such a heritage and inspired with such traditions, we would not expect to find a youth with mean aspirations. We would look for the unfolding of a life of high purposes, with ideal aims and worthy ambitions.

His father had great solicitude for the education of his family.

Although his means were meager at this time, he was anxious to surround his children with the best influences and afford them the greatest opportunities within his reach. With this object in view, on his removal from Ohio to Illinois in 1865, he located with his family at Urbana, near the proposed location of the State University.

Senator KYLE, as a boy, was an industrious, careful, and painstaking student. He had the confidence of and enjoyed the intimacy of his parents and his teachers, as well as his classmates. He succeeded as a student, and graduated with credit from the high school at his home.

In his desire for an education he was not satisfied to stop at the threshold. A college education at this time was the goal of his ambition. It was not based on a false pride, but he was anxious for the equipment it would give him and the service it would render him in the future that was then opening to him. In this Senator KYLE displayed the highest wisdom and foresight.

For life's activities we can not be too highly equipped. The young man should open to himself every avenue that will bring to him not only culture and high character in its truest sense, but power and strength as well. His ambition should be to discipline and develop every faculty of his being so as to equip himself in the highest degree for the best service in the race for life and life's endeavors. He owes this much to himself as well as to society, so that into whatever position he may be called or by the strength of his individuality force his way, he has made himself capable within his own limitations of rendering the highest possible service.

He has only one life to live, and he should make it the most potential possible with the faculties with which he has been endowed. To this end his ambitions, in the larger sense, need neither be selfish nor narrow nor solely for the

development or enlargement of his own individuality. At best the real life is one of supreme service. Its equipment should be the amplest, so as to be able to meet its highest duties and to develop each individual character for its greatest efficiency.

Senator KYLE, both in his youth and in his maturer years, was possessed with high purposes and worthy ambitions. He especially emphasized this during his early life in the sacrifices he made in order to secure an education. He took a full course in Oberlin College and graduated from that institution in 1878. He did not secure his education without severe labor and the exercise of much self-denial. He was without means and was obliged to largely provide himself with funds with which to meet the obligations incurred throughout his entire college course. To do this he either worked upon a farm during the vacations or taught school.

In this Senator KYLE displayed much of true heroism. It is no light or easy task for a student to successfully meet the requirements and obligations of a college course without thought or consideration of the means for that purpose. To assume and carry through both with credit, in competition with those more favored in that regard, is an undertaking from which most young men shrink. To have succeeded indicates that he was a young man of resolute purpose and that he possessed a spirit that would not rest satisfied with present accomplishments. He supplemented his college course with the study of theology, and was graduated four years later, was ordained, and entered the ministry.

I do not understand in the shaping of his career or of his life work political ambition ever entered. He had planned his future and had trained himself for a minister of the gospel. To this work he had for some years conscientiously devoted himself. His political career can not in the first instance be said to be of

his own choosing. His nomination as a candidate for the State senate in 1890 came unsolicited to him and practically as the result of an accident. He was elected as an Independent, and he demeaned himself during a most stormy and turbulent session of the legislature with dignity.

Through a cooperation of Independents and Democrats they secured control of the legislature against the Republicans. A United States Senator was to be elected, and a long and fruitless struggle was carried on for many weeks in behalf of the candidates of the respective parties. The Independent membership far exceeded that of the Democratic, and the former insisted upon naming the candidate and that in the election they should have the cooperation of the Democrats. Many different Independents had been voted for, and each had been dropped in turn. Toward the latter part of the session an agreement was finally reached whereby it was arranged that Senator KYLE should be the candidate, and he was elected by the combined votes of the Independent and Democratic membership.

At the same time a like contest was being carried on in the legislature of Illinois. It required the cooperation of the Independent membership of that body with the Democrats to insure the election of General Palmer. This for a long time they refused. These two contests attracted national attention. It was asserted, whether truthfully or not, that a joint agreement was arrived at whereby the Independents in the Illinois legislature were to vote for General Palmer, a Democrat, upon condition that the Democratic members in South Dakota should cast their votes for an Independent.

Upon the election of Senator KYLE he announced himself as an Independent, but during his first term as a member of this body he largely aligned himself on party questions with the Democrats.

In 1896 Senator Kyle was a candidate to succeed himself. It appeared to be understood throughout the campaign should the Populists control the legislature he would be selected as their candidate and elected to the position. His party was successful, but he met with bitter and persistent opposition within its membership, and he could not control the caucus. This led to a protracted struggle. In order to end the controversy, the Republicans finally voted for Senator KYLE, and with the aid of sufficient votes from his own party he was elected.

Notwithstanding his election was made possible by Republican votes, he still maintained his position as an Independent. The position of many of the leaders of his party toward him in this contest doubtless estranged him from them and from his former party affiliations. The questions involved in the Spanish-American war soon arose, and on these he supported the Administration of President McKinley. Upon the reelection of the latter in 1900 he made public announcement that thereafter he should be a Republican, and would cooperate with that party. Later he announced his candidacy, as a Republican, as his own successor.

It is not my purpose to speak at length of his party associations, his attitude for or against political organizations or his independence of them, or to question or impugn in any sense his political motives during his public service. His career certainly is marked and anomalous in our political history. To have been elected, in the first instance, as the result of a compromise between two distinct party organizations; in the second, to have been opposed in the legislature by a large majority of his party associates, and the Republican organization being responsible for his election, and finally giving his adherence to that party and declaring his purpose to be the Republican candidate as his own successor, is a situation worthy of passing reference.

If I may be permitted to express my own judgment, I believe Senator KYLE'S natural convictions more nearly led him in sympathy with the Republican party. His early training, his education, his associations, his convictions, aside from the question of the tariff, until a very recent period before his entry upon politics, were largely with that party. Local conditions, in addition to the tariff, had much to do, I believe, in determining him in taking his position in the first instance with the Independent party.

Senator KYLE was a man of high and unsullied personal character. In business affairs or of detail, he possessed the highest sense of honor. No man ever questioned his personal integrity. In his daily life he walked upon a high and noble plane. There was nothing in his life of artfulness or deceit. He was ideal as a citizen, beautiful in his domestic life, a devoted husband, and a noble and affectionate father.

He was conscientious and high-minded as a public servant. He rendered faithful service to his people, his State, and to the nation. He had high concern for the welfare of his country, and devoted himself to its upbuilding and to the welfare of its people.

He always gave especial interest to the rights of the individual, the safeguarding and the elevation of labor, the integrity of the home, and the extension of national legislation for its protection. He also believed in the broadening and elevating influences in our national life of higher education. He especially emphasized his interest in these questions while chairman of the Committee on Education and Labor, and also as chairman of the Industrial Commission, which conducted such an extended and exhaustive investigation covering the vital and complex questions of our industrial life. To this, during his later service in this body, he conscientiously devoted his energy,

his strength, and his ability. The result of his labors in this particular must prove of great service to his country.

His death was sincerely mourned by the entire people of the State. It was a shock for which they were not prepared. He was comparatively young, and his friends looked forward to many years of service and of usefulness. His State misses him and grieves at his untimely death. His community had for him the most profound regard and tender affection. He was simple in his life, cultivated in his tastes, approachable and generous in his manner, most companionable and sincere in his friendships, and just alike always to friend or foe. I do not believe I ever witnessed expressions of more sincere and genuine sorrow than on the occasion of his funeral. All were and had been his friends, and they all felt a truly noble and generous spirit had gone out from amongst them.

To the widow and the children we offer our tenderest sympathy. The luster of his pure and noble character will always illumine the home and the lives of those he left behind. He left them the richest possible heritage that a husband or father could bequeath—a noble, true, and Christ-like life.

In closing, I appropriate substantially his own words, used on a similar occasion upon one of the State's representatives:

JAMES H. KYLE has gone from us. The life immortal is now his—where progress is unhindered and where, free from the conflicts and suffering of mortality, his soul rests with the all-wise and beneficent Creator. He is mourned by citizens of South Dakota, irrespective of party, and they unite with the State's representatives in paying this tribute to a hardworking, painstaking minister, a wise statesman, and a kind husband and father.

ADDRESS OF MR. COCKRELL, OF MISSOURI.

Mr. PRESIDENT: Once more the Senate of the United States suspends its labors to pay a well-merited tribute of respect and honor to Hon. JAMES HENDERSON KYLE, the late senior senator in this body from the State of South Dakota, who, on July 1, 1901, at his home in the city of Aberdeen, in that State, in the meridian of an illustrious career in the public service of our country, was called from the scenes of his labors and duties in this earthly existence to enter upon an immortal life in the—to us—invisible existence beyond the grave.

The deceased Senator was born near Xenia, in the State of Ohio, on February 14, 1854.

During his boyhood his parents removed from Ohio to the the State of Illinois, and in his seventeenth year, in 1871, he entered the University of Illinois, taking a course in civil engineering, and in 1873 entered Oberlin College, in Ohio, and was graduated from the classical course in 1878. He then studied law, preparatory to admission to the bar. After pursuing his legal studies for some time he determined to enter the ministry of the Congregational Church, and entered the Western Theological Seminary, at Allegheny, Pa., and graduated therefrom in 1882.

During these years of college work he was also engaged as teacher of mathematics and engineering.

Prior to his graduation from the seminary at Allegheny, Pa., he was married at Cincinnati, Ohio, on April 27, 1881, to Miss Belle Dugot, an accomplished young lady, who was a graduate

of Oberlin, and with whom he had become acquainted while at that college.

After leaving Allegheny Seminary Mr. KYLE engaged in educational and ministerial work for several years, and went to Utah and was pastor of Congregational churches at Echo City and Salt Lake City, Utah, from 1882 to 1885.

On account of the ill health of his wife he moved to South Dakota in 1885, and was pastor of a church at Ipswich until 1889, when he moved to Aberdeen and was pastor of the Plymouth Congregational Church at that place, and was such pastor when he entered political life and was elected to the State senate as an Independent and soon afterwards to the United States Senate to succeed Gideon C. Moody for the term beginning March 4, 1891.

Combined with his labors as pastor of the Aberdeen church he served as financial secretary of Yankton College, the only educational institution of that denomination in South Dakota at that time.

After his name was placed upon the ticket for the office of State senator as an Independent in the fall of 1890, he spent most of his time up to the day of election in his work as financial secretary of Yankton College in the Eastern States. After his election as State senator he returned before the legislature convened and entered upon his duties as State senator, and during the term was elected to the United States Senate and entered upon his duties as such Senator at the beginning of the first session of the Fifty-second Congress.

The contest in the legislature of South Dakota for United States Senator to succeed Judge Moody lasted for twenty-seven days, and upon the fortieth ballot Mr. KYLE was elected as an Independent, receiving 75 votes as against 55 for Hon. Thomas Sterling, Republican; 8 for Hon. Bartlett Tripp, Democrat, and 1 for Hon. Hugh J. Campbell.

When Mr. KYLE entered the Senate in the Fifty-second Congress, first session, in December, 1891, there was a question as to which party should provide for Mr. KYLE and Mr. Peffer on the committees of the Senate.

Mr. KYLE chose to have the Democratic party provide for his committee assignments, which was done.

In the Fifty-third Congress the Democratic party controlled the selection of the majority committees and chairmanships, and Mr. KYLE was made chairman of the Committee on Education and Labor, and was assigned to the Committees on Patents, Indian Depredations, Irrigation, Forest Reservations, and University of the United States.

In the Fifty-fourth Congress, when the Republican party controlled the majority committees, Mr. KYLE was made chairman of the Select Committee to Establish the University of the United States, and was left on the remaining committees he had been on in the Fifty-third Congress, except the Committee on Patents.

In 1897 Mr. KYLE was reelected as an Independent, as his own successor, for the term beginning March 4, 1897. In the extraordinary session of the Fifty-fifth Congress, in 1897, he chose that the Republican majority in the Senate should provide his committee assignments, and he was made chairman of Committee on Education and Labor, and was assigned to the Committees on Forest Reservations and the Protection of Game, Indian Depredations, Irrigation and Reclamation of Arid Lands, Pensions, and Territories.

In the Fifty-sixth Congress, March 4, 1899, to March 4, 1901, he was given assignments to the same committees as in the Fifty-fifth Congress, and was also placed on the Committee on Indian Affairs.

Under the act of Congress approved June 18, 1898, entitled "An act authorizing the appointment of a nonpartisan commis-

sion to collate information and to consider and recommend legislation to meet the problems presented by labor, agriculture, and capital," to be composed of five Senators, five Members of the House, and nine other persons who shall fairly represent the different industries and employments, to be appointed by the President, by and with the advice and consent of the Senate, Mr. KYLE was appointed one of the five members from the Senate and was made chairman of the Commission. The Commission was organized and proceeded to the discharge of their onerous duties. To the work of this Commission Mr. KYLE earnestly devoted much time and labor. It was the intention of Mr. KYLE to return to Washington about the time he was taken sick, to give attention to the compilation of the results of the work of the Commission. The reports of the Commission constitute 19 volumes.

As a Senator, he was diligent and faithful in the discharge of his duties in committee work and in the Senate. He was ever courteous, pleasant, and affable in his conduct and bearing, and an exemplary Christian gentleman. He was ever mindful of and attentive to the interests of his constituents.

His death-causing disease attacked him at the time he had attained the position and attainments for the greatest usefulness. Death is no respecter of persons or of their conditions in life.

His wife, one daughter, and an infant son bearing his honored name survive him to mourn and grieve over their irreparable loss. He has left them an invaluable legacy in a good name—better than precious ointment or wordly riches. We join them in mourning his loss, and tender to them sincere condolence.

Address of Mr. Cullom, of Illinois.

Mr. President: I beg the privilege of saying a few words in testimony of my esteem for our late colleague, Senator Kyle, who passed away last summer, during the recess of Congress, at his home in South Dakota.

His death, I am sure, was a surprise to us all. He died while yet a young man. I knew him well, and the more thoroughly I knew him the higher became my estimate of his worth as a man, as a citizen, as a friend, and as a Senator.

He was a man of untiring industry. He was a student and a well-trained scholar. He had been a teacher and had qualified himself for the ministry, went West, and finally located in the State of South Dakota; was elected to the State senate, and finally elected to the United States Senate by the legislature of that State, and was reelected.

Mr. President, Senator Kyle had an unusual and honorable career. He was a member of this body for more than ten years. He was a faithful servant of the people, always at work, doing what his conscience and his heart prompted him to do. He was a retiring, modest man, disposed to shrink from the public notice rather than seek the applause of the people. He was guided by his convictions. He desired to do right as God gave him to see the right. He was a quiet man and seldom talked—never unless he deemed it his duty in defense of a measure which he regarded of great importance to the country or to his State, or unless he regarded a measure as injurious and vicious to the public welfare, when he sought to defeat it.

It is said, Mr. President, that every man builds his own mon-

ument. It can be truthfully said that Senator KYLE builded his monument by constant, faithful work in the interest of his fellow-men—a monument more enduring than any that can be builded of stone or bronze.

There are great and good men in this country, who were benefactors of their race, whose ashes rest in some quiet cemetery with nothing but a modest mound of earth to mark the spot, yet the memory of whose noble deeds will endure with the ages, while monuments in occasional instances rise high above the graves of the unworthy.

That thought, Mr. President, was most beautifully expressed by Oliver Wendell Holmes when he said:

> A breath of noble verse outlives all that can be carved in stone or cast in bronze.

The world loves to manifest its appreciation of the great and noble lives and deeds of men and women by building monuments to their memories, and it is right and beautiful to do so; but great deeds and the noble acts of men live after they are gone longer than the marble monuments erected by grateful people to their memory.

Mr. President, it was my fortune to know Senator KYLE before he came to this Senate, and while he was yet a student. As the Senator from Missouri [Mr. Cockrell] has referred to the Illinois University, the institution at Champaign, in my State, I may say that once, when I had occasion to go there, I met this young man, as he was then, and I had quite a talk with him. But after I left there I lost thought of him, until finally he was introduced to me here in the Senate after he had been elected. I expressed my delight at meeting him, whereupon he reminded me that he had met me before. I asked him when? He said, "On the occasion when you came to the university to make an address, and I was there as a student." I then remembered him, and it occurred to me that

in this country to-day a boy is at school and to-morrow he is in the Senate of the United States.

His father and family reside in the State I have the honor to in part represent. He was raised on a farm, surrounded by right influences and taught by parents to be honest, sober, and industrious. Honesty, sobriety, and industry are the essential foundations for a useful and successful life. Without these great essentials in character, talent and even genius go for naught.

Senator KYLE, soon after his entrance into the Senate, was made chairman of the important Committee on Education and Labor. He held the position at the time of his death, and was also a member of the important Committees on Territories and Pensions. His inclination was to deal with educational and labor questions. His mind inclined to such subjects. He was always specially interested in the success of schools and colleges, and also in the laborers of the country, and thought, rightly, that, as between the poor and the rich, the poor man was entitled to be specially cared for and protected in these days of combinations of capital and organized trusts. Hence he was, by his own request, placed on committees having the subjects of education and labor in charge.

He had much to do with the passage of the act creating the Industrial Commission, which only recently finished its labors and which has given to the country a large number of volumes, containing a vast amount of information touching the relation of labor and capital. He was appointed a member of that Commission, and naturally was made its chairman.

Mr. President, Senator KYLE was a church and Christian man, and his life was guided by the principles of justice and Christianity. It was said of Sidney that he was a Christian, but a Christian in his own way. The same might be said of any man who is a Christian. But the remark was perhaps

made of Sidney because he did not observe the forms or ceremonies of the church, but yet possessed the true Christian spirit. Senator KYLE early became an avowed Christian, in word and deed, and, as such, his works and faith were known of all men with whom he was associated.

Senator KYLE was elected to the State senate and to the United States Senate, the first time, as a Populist. He became such during the excitement, in the West especially, on the question of the free coinage of silver. He was elected the second time as an Independent, but was supported by the Republicans of his State. He acted substantially with the Republican party in the Senate during his second term until his death.

Senator KYLE died in the prime of his manhood, surrounded by those most dear to him, having the confidence of his constituents and the respect and esteem of his colleagues in the Senate.

But the grave is not the end. We look beyond to the great fact of immortality, and we cling to the thought that we are immortal; that there is light and life beyond the grave.

> There is no death; what seems so is transition.
> This life of mortal breath
> Is but the suburb of that life Elysian
> Whose portal we call death.

Address of Mr. Morgan, of Alabama.

Mr. President: In speaking of a Senator from the new States of the Northwest, I can not separate the recollection of his services from the great and unique region of our country that has been the theater of his labors. If he has won the esteem of the people of that country, there is an eminence in that fact that gives tone and strength to his reputation after he has passed away. On this crowning mesa of the continent there is everything to attract the spirit of American enterprise, to gratify the pride that the whole world feels in honorable success, to promise rich rewards for toilsome and courageous effort, and to fix devotion to free republican institutions in faithful and intrepid hearts.

The Senator in honor of whose memory these obsequies are observed worked strongly, steadily, courageously, and with honorable success in this great field of American progress, and his memory is honored by those with whom he worked.

The Alpine regions of Europe have been the nurseries of a people for many ages who have been renowned for public and private virtues, and we have in these mountain lands of our Northwest a home in which many noble and true generations will be reared. The rooftree planted there will spread its prosperous branches in peace, and no storms will be strong enough to uproot it.

It is a land of wonderful natural features, the native land of strong, bold, and strenuous manhood.

Many Switzerlands are congregated in this vast tableau, with their towering Mont Blancs and Matterhorns that celebrate, in their silent grandeur, the sublime power of the creative hand.

It is beyond our present comprehension to realize the wealth of beauty, strength, and progress that in a thousand years will be developed on the mountain slopes and in the valleys of this great divide that forms the watershed between the Atlantic and Pacific oceans. The farms, the orchards, the vineyards whose roots are nurtured in beds that are rich with the salts that extinct volcanoes have lifted to the surface, and, far beneath them, mines of useful and precious metals; the farmhouses, chalets, towns, and cities that will rise in the picturesque landscape, and the churches that will lift their spires above them all to testify the eternal and supreme truth of Christianity as the solid foundation of all human progress, will come forth as the fruits of peaceful industry and good government.

Those who have labored to institute this crowning glory of the Republic and are yet engaged in adjusting its strong foundations can work in peace and security such as the builders of commonwealths have never heretofore enjoyed.

So balanced in equal counterpoise will be the sovereign States that will complete the perfect union when statehood has invested all our territorial area with the organized sovereignty of the people that aggressive men will not dream of conflicts to gratify their selfish ambitions. The people for whom the Senators of the Northwest are providing and for whose prosperity Senator KYLE labored will never hear the tramp of moving armies unless they are summoned to the frontier of the Republic to resist the invasion of some foreign enemy.

I almost envy the Senators of the great Northwest the opportunity to legislate for a homogeneous people, and I bid them all godspeed in their great and peaceful labors.

Senator KYLE was of your number, and he worked also in harmony with the Senators from all the States for the general welfare as he comprehended it; and I honor him for the quiet,

sincere, and earnest zeal that was the chief characteristic of his work in the Senate.

The birth of a sovereign State in the American Union is an event of the most important and majestic character, and such a Commonwealth is the most symmetrical and beautiful creation of political power. It is the child of peace and fraternity, created in the councils of patriotic love, and is crowned a representative sovereign, whose realm is the hearts of the people and whose sole inspiration is the good of mankind.

The birth of a sovereign State in the American Union is a marvelous achievement of the growth and development of the principles of right government, which stands at the head of all progress in statecraft and social advancement.

While this event is possible there can be no reverse movement in the upward and onward march of civilization.

Whether the birthplace of a State is in a wilderness, or in the distant islands of tropical seas, or is in the land where ice and snow seal up life in keeping for a physical resurrection and substitute for the absent sun the beautiful northern light, there is one unfailing truth that witnesses the legitimacy of the sovereign power of a State of the American Union and presides at its advent to crown it with authority that can not perish. That truth is proclaimed in the Declaration of our Independence. The one immortal and imperishable institution that can not die while time shall last is the sovereignty of a State under our Constitution and form of government, vitalized by the sovereign will of the people.

Such a nativity is not an imitation or copy of the Kingdom that was born in the manger at Bethlehem. But it is the legitimate fruit of the greatest of events and a reproduction of the principles and rights of government then for the first time established.

The principle is that sovereignty resides in the soul of the individual man, not in his ancestral strain of blood, and the right is self-government; and the sanction that alone can sustain the principle and secure the right is individual responsibility to the demands of duty that they enjoin, with corresponding liberty of action.

No social right decreed to mankind was more important in this divine nativity of representative and responsible government than the equality of rights which the King of Kings established when He laid aside His crown and changed the relation He bore to His people, the liege subjects of the Kingdom of David, into a brotherhood in which all were made His equals in the exercise of personal rights.

The political truth established in that renunciation of absolute power over men who are responsible is the soul of free government. Until that truth perishes free self-government can not fail, and while such government exists liberty can not die.

I hold firmly to the conviction that the powers of sovereign statehood in the American Union are the highest, the most beneficent, and the most firmly secured that can be devised by human wisdom. I believe that all nations will ultimately become educated to understand their value, will approve their form and principles, and will adopt them, because they are true and just. A century hence it may be as difficult to find a ruler who claims royal prerogatives through the divine right to rule as it is now to find one who claims to be a descendant of Jupiter or of any of the gods of mythology in Greece or Rome.

Believing this, I do not fear to witness the extension of the sovereignty of the people into new areas of the world, and I feel assured that each addition to the number of States in this great Republic, made in accordance with the principles of our

Government, will add strength to the entire Union, will increase the separate strength of each of the sovereign members of this great Republic of republics, and will equally secure justice to all, the least and the greatest alike.

Each jewel that shone resplendent in the diadems of liberty that sat upon the brows of the old thirteen States like a sunburst of glory, has grown brighter by the addition of each of the thirty-two States that have since been added to increase the sublime effulgence, and no State has lost its distinctive honors or powers in this grand congregation represented here in the Senate.

To what extent this Union may be enlarged by the admission of new States will always be determined by our convenience, as occasion may present, when, according to the free will of the people to be admitted to these high honors, powers, and privileges lawfully expressed, they are prepared for admission and seek it.

When and where we shall find the just and convenient limit of the expansion of the Union must depend upon the sense of duty that Congressmen yet unborn shall recognize and obey. We are not their creators, their mentors, or their judges. Neither will they recognize us as being their masters, with the right to pledge them to fixed policies as to the limits of this Republic. We can only appeal to existing facts and to the traditional policies of the United States to justify our own action and to convince them that aggression is not the motive of any act of ours, and that Congress has always been slow, considerate, and careful when moving in the direction of territorial expansion. If we leave them a just example we will have no need to leave them pledges, instructions, or advice.

Our growth has not been ambitious or aggressive. States that we might well have admitted into the Union, with immense advantage to them and with no harm to us, have applied

to us with prayers for annexation that we have refused. In this we have been reluctant even to obey the calls of duty, and other people have suffered because we excluded them from the blessings we enjoy. For no people can possibly be harmed by being admitted to the sisterhood of our sovereign States.

Between the 2d of November, 1889, and the 10th of July, 1890, six great States in one magnificent group were born into the Union of our Federal Constitution. They were North Dakota and South Dakota, the twin stars of the galaxy, Montana, Washington, Idaho, and Wyoming.

In eight months six imperishable sovereignties sprang from the will of the people and were accepted by Congress into the perfect vigor and full equipment of great commonwealths.

No pageantry celebrated their inauguration. No drop of royal blood established their title or quickened their impulses of life or sealed their right to sovereign attributes. No strife, bloodshed, revolution, or agitation had attended their birth or had laid their solid foundations. They were born to a strong, happy, and renowned future, as strong as the granite mountain ranges that hold their vast plains within their embracing walls, as bright as the streams that pour from their bosoms, and as pure as the snows that crown their lofty heights; and they were born to honors that liberty will forever acclaim.

The birth of these six States was an event to arouse the world with joy. Yet the breath of fame was not clamorous at their coming, but was content to whisper their advent to the listening multitudes of people who were eagerly waiting in silence for the message which invited them to put on the robes of sovereignty, to enter into the possession of the rights and powers of self-government, and take upon themselves the obligations and duties of the full powers of American statehood and a place and a name among the sovereign powers of the world.

The homeless man, even of other countries, was invited to become the owner in fee of a landed domain and to build upon it for his family, and, whether it would be a shack, humbly hiding itself in the earth, or a mansion, framed in tasteful architecture, he was invited to write over the portal the one word "Home," and to possess in that sacred word the fullness of human happiness. And they came in multitudes, rejoicing.

The Dakotas, one in spirit, but separated in sovereign authority, each had its high mission in which they worked together. In spirit they were "the voice of one crying in the wilderness," and when the people flocked to the call, that vast and beautiful land was dedicated to the sovereignty of the people, and was set apart by their will, in separate sovereign statehood, and Congress consented.

Among these thronging pioneers was a young man, not distinguished by birth or fortune from others in the same walk of life. It was not a lowly walk that was pursued by these young pioneers. It measured up to the grandeur of nature which sat upon that land in beautiful but simple dignity. These pioneer youths confronted the toils of that wilderness region with the same firm and adventurous spirit that nerved the men of earlier generations to subdue the land of other and wilder regions. A spirit of wrestling with the trials of frontier life, which has left its deep impression upon the character of millions of people and makes them distinctively American, had entered the heart of young KYLE while he was in Kentucky under the care of his aged grandfather, who was among the noble band of pioneers in "the dark and bloody ground."

When he emigrated to Dakota he caught the inspiration of the people, and it gave him purpose and strength to work with them and for them in all the lines of duty. Desiring to serve his fellow-man and to encourage a people he loved in every

good work, he conceived that his duty led him to the ministry of the gospel.

In this vocation there is always a furnace of trial that proves the man. He was faithful to his calling, and engaged the confidence of the people. He was earnest in his work, and when they needed an earnest worker they called for him. He stood erect and firm in his character, and did not stoop from his high calling to take up another less conspicuous for its purity. He did not rise to the occasion, but the occasion rose with him, and through the esteem of the people who followed and supported him he found no embarrassment in representing them in their political capacity. The people sought him out and he reluctantly consented to serve them.

It is a cruel trait that causes all of us to suspect the purity of a Christian who lays aside the sacred robes to do the work that a political career is supposed to require. It is the character of the political vocation that, after all, provokes such criticism; and if a minister can become a politician without doing harm to his cloth, he deserves the greater credit.

He made a speech at the celebration of the Fourth of July, being substituted for the orator of the occasion who had failed to attend. The next day he was nominated by the Independents for the legislature, for the want of a politician who would venture the chances of election. To his great surprise he was elected. The want of party harmony in the legislature caused factions of the two great parties to prevent the choice of some distinguished man, and they united on Mr. KYLE and elected him to the Senate of the United States.

Within a year after he gave up his charge as a Christian minister he took his seat in this Chamber.

In this rapid evolution of a State and of a Senator to represent it there was no risk to good government, but there is a

lesson that all Americans may study with satisfaction as to the character of our people and their institutions.

In the observations I had the opportunity to make as to Mr. KYLE'S daily walk and conversation, I am glad to be among those who bear testimony to the upright and earnest integrity of his conduct as a Senator. I was glad to enjoy his friendship, whatever political differences we had, and some of them were serious.

The Senators from these six new States that I have had the honor to meet in this body are the worthy representatives of a magnificent country and of a people who are building up those Commonwealths on the most advanced lines of enterprise, activity, and skill with unparalleled success. Among those Mr. KYLE was an earnest, intelligent, and faithful worker.

Naturally these builders of new and great Commonwealths are absorbed in the local and practical duties that rest almost exclusively upon them, but all here will bear witness that this Government at large and in all of its new and vast interests within and beyond the continental limits leans with security upon the stalwart patriotism and wise counsel and learning of this body of statesmen but recently intrusted with the highest powers and most important trusts of this great Republic.

I rejoice that it was my privilege to support the rapid and almost violent expansion that added twelve Senators to this body in the period of eight months. Since I have witnessed that marvelous growth of the great Republic and its splendid results I have not feared that it would lose its self-control, even if it should reach out its arms to rescue any people from the evils of monarchic rule who are willing and ready to be saved.

The wider the reach of its power or influence the greater will be our need for adhering to constitutional government strictly

construed and administered in the unselfish, just, and equitable spirit of a true American democracy.

If our principles of government are adapted only to a certain race of people and to certain geographical boundaries and limits of jurisdiction, they fail to coincide with the best hopes of mankind. They are adapted to all climes where homes are found and altars are dedicated to Christian worship.

The breath of liberty that warms the American citizen with patriotic ardor in the ice fields of Alaska will cool the hot impulse that engenders seditious strife in the tropical lands if we will clothe them also with the honors, liberties, and responsibilities of American citizenship. American liberty teaches one lesson to all her votaries. It is graven in the language and spirit of a written creed, an organic law, that is inviolable. It consecrates personal rights and bestows political privileges on such as are prepared to exercise them for the general welfare. Its lessons, once learned, are never forgot.

Address of Mr. Foraker, of Ohio.

Mr. President: I am always reluctant to speak on occasions of this character, and never do so except only from a sense of duty or some kind of obligation. I feel prompted in that way in this instance.

James H. Kyle was born in Ohio, and, as we have been told in the speeches to which we have been listening, he was educated in Ohio and married in Ohio. I may say, in addition, what has not yet been said by any other, that he spent a good part of his time in Ohio after he had ceased to be a citizen of our State. So it is, Mr. President, that, although he did not represent Ohio in this body and never represented the State in any capacity, so far as I am aware, yet he was so identified with the people of that State that they took a keen interest in his welfare. They noted his career, they rejoiced at his successes, and they mourn more, perhaps, than the people of any other State, except the one he represented, because of his early demise.

He belonged to a class—a pretty large one—of which Ohio is proud. I refer to that class who, born in Ohio, have moved to other States, and from them have entered public life and led distinguished careers. Among these are many who have become members of this body, representing other States of the Union.

I had occasion recently to look at the record in that respect, and I was surprised to find how many members there have been of this body who, born in Ohio, have come here representing other States—more, I may say, than there were of those who,

born in Ohio, have represented that State in this body. I think, all told, there have been but seven native-born Ohioans to represent that State as Senators. The State of Indiana alone has sent as many native-born Ohioans to represent her here. Other States have been generous to our sons.

But, however the record may stand, as we all know, the class is a large one, and the people of Ohio are justly proud of all who, going out from their midst, have won the honor and distinction involved in being sent to represent their adopted Commonwealths in this body. Mr. KYLE belonged to that class. Therefore it was that we had an interest in him and that I felt attracted to him when I became a member of this body.

He was a modest, unassuming man, who devoted himself to his duties, and unless you cultivated his acquaintance you were not likely to know him familiarly. I was so thrown with him that I came to know him and to appreciate him as being possessed of all the good qualities for which he has been commended here to-day.

He was not only a modest and unassuming man and a faithful and devoted public servant, but he was, as has been truthfully said, a Christian gentleman, a man of culture and refinement, a man who devoted himself principally in his public duties to educational matters and to the uplifting of the laboring classes of his countrymen in so far as he could contribute thereto.

Such a man is of great value because of the example he is to others. Such a life can not be lived in vain. All who study it find that a man can be distinguished in public life, that he can take part in practical politics, can be elected to office, can engage in campaigns and be identified with political parties without sacrificing his moral character in any respect.

It is the testimony of all who knew him, as it has been the testimony of all who have spoken here to-day, that he never forgot his manhood or his moral obligations, but was true at all

times to both. His career well illustrates the possibilities and opportunities of our American life. He was not only self-made, but he was unusually successful. He was a graduate, a teacher, a minister of the gospel, a State senator, and for more than ten years a United States Senator, and all this in the short life of 47 years. The country may well be proud of such a citizen, and his State, as its Senator [Mr. Gamble] beautifully said in the opening address of these exercises, may well mourn for one who so honored her.

I do not feel called upon, Mr. President, in view of the eulogies which have already been pronounced, in view of the detailed account which has been given of his life and his public services, to extend my remarks. I rose only that I might, as representing in part the State in which he was born, and a State the people of which are interested in him, join in a tribute to his memory and in saying that the life he lived will be an inspiration to all who study it.

Address of Mr. Nelson, of Minnesota.

Mr. President: Less than a generation ago the great plains of the Dakotas were a wilderness occupied by roaming bands of savages and buffalo, but before long the advancing tide of American civilization swept over those great plains, and there was an invasion of immigrants pouring in from all quarters of the New World, as well as the Old, to occupy the virgin fields of that great domain.

Among those pioneers, one of the most progressive men who joined in that great advance guard, was Senator Kyle. He went there in the early days and endured all the vicissitudes and hardships of frontier life. He went there as a minister of the gospel, to minister, first of all, to the spiritual wants of his neighbors; but he was a man so constituted that he did not confine his work wholly to that sphere. He cooperated with his neighbors in promoting the political and material improvement of that great country.

As a minister of the gospel—and I have the testimony of one of his neighbors, an old teacher of mine—he was a most fervent, thorough, and eloquent preacher; and as a pioneer settler he was one of the most progressive and most neighborly, one of those pioneers who would share his last loaf and his last penny with his fellow homestead settler. He was not by nature and make-up a partisan, as we understand that term in politics.

When the hard times swept over the Northwest in the early nineties, it came to the Dakotas as it came to all the States west of the Mississippi River with distress and misery

in its wake. The people of the country became restless. They sought legislative and political reform. They felt that some assistance, some relief, some help, could be secured through new party organization—through new legislation. Those men, imbued with these hopes and aspirations, we called Populists. Some of us were disposed to regard them with unfriendly criticism; but while they aimed to secure reform on new lines and in new ways—while they differed with both of the old parties—they were not actuated by that spirit of socialism and anarchy which we find existing among the lower classes of the Old World. They were zealous and real reformers, and above all, they were intensely loyal, every one of them, to the flag and institutions of our country.

In the midst of that wave of reform—for I can call it nothing else, with which I sympathized, although I was not part of it—in the midst of that wave of reform in that young frontier State, the neighbors of Senator KYLE all turned to him, the young clergyman, who had come there from the State of Ohio and had cast his lot in their midst. They turned to him, and looked to him as one of their leaders. He was elected to the legislature, not by his own seeking, but as the first choice of his neighbors. It was a case where the office sought the man, and not the man the office. In the legislature he became one of its most efficient, industrious, and energetic members; and soon, in the political upheaval which took place in those stirring and restless times, he was sent here to the halls of Congress.

We are all familiar with his work here. While he was not one of the great constructive statesmen, yet he was one of those strong and efficient men that constitute the scaffolding on which the great Republic is reared and rests. He was one of that trained army of men who constitute the foundation and bulwark of American institutions. Here, as in the pulpit and on the

frontier, he was a quiet, modest man. He made but few speeches, but whenever he addressed the Senate he always had something to say—some facts and solid arguments to offer. It was not with him a mere matter of lip service, a mere matter of delivering an oration. He spoke to elucidate and to instruct. He was a most industrious and energetic member of this body, and always devoted to the work before him.

He was particularly interested in the welfare of the laboring man. He was one of the leading members of the Industrial Commission, and into that great work his whole heart and soul entered. I frequently talked with him about the work of the Commission, and I never met a man who was so enthusiastic and so deeply interested in the task before him as was Senator KYLE in the work of that Commission.

Mr. President, it is always sad and always a loss to part with one of our associates here, but in parting with Senator KYLE we feel that we part with one who was a good, an honest, and a most useful member of this body; we feel that we part with one who had the true interests of his people and his country at heart. I remember well speaking with him in his last sickness—and it was a long and lingering sickness. He felt as though his task here was done, and still as if there was something more for him to do which he would like to accomplish. He said to me: "I feel as though my race were run, as though my end were near, and yet, after all, with all the great work before me, I have a desire to live in order that I may do some more good."

That spirit which actuates the honest and noble minister of the gospel he never parted with, even in the midst of his political work and his work in this Chamber. He was always in all his work imbued with the spirit of the reformer and the spirit of the true Christian. He had nothing of the partisan in his make-up. He was essentially a reformer. He acted with

the Populists and Democrats as long as the reforms he sought for seemed most likely to be reached through those channels, but when he became convinced that more good could be accomplished and more substantial relief secured through the Republican party he had no hesitancy in cooperating with that party. He aimed at results—beneficial results—rather than party advantage or party affiliation. It were better for our country that more of our public men were possessed of such a spirit of independence. He is with us no more, but the spirit and purpose of the work he wrought will abide with us forevermore.

Mr. President, standing, as it were, around the bier of our departed brother, I feel like repeating, as I have no doubt Senator KYLE repeated in his last moments, and as we all in our better and sadder moments feel like repeating, those beautiful words of the great poet of the South:

My feet are wearied, and my hands are tired,
My soul oppressed,
And I desire, what I have long desired—
Rest—only rest.

My way has wound across the desert years,
And cares infest
My path, and through the flowing of hot tears
I pine—for rest.

'Twas always so; when but a child I laid
On mother's breast
My wearied little head; e'en then I prayed
As now—for rest.

And I am restless still; 'twill soon be o'er;
For down the west
Life's sun is setting, and I see the shore
Where I shall rest.

Address of Mr. Kittredge, of South Dakota.

Mr. President: Senator Kyle died the early evening of July 1, 1901. He was buried the afternoon of July 4, eleven years—almost to an hour—after he delivered an address which gave him a seat in this body. Since his serious illness at Cleveland, September, 1898, he had not been well, although his appearance otherwise indicated. His vitality was gone. The wire and fiber of his constitution were wasted and worn, and, a complication of ills overtaking him, the thread of life was easily broken, and in a few days he crossed the dark river. The Christian faith, his guide through life, sustained the departing spirit, and with perfect confidence he beheld the opening scenes of his eternity.

James Henderson Kyle was born at Cedarville, near Xenia, Greene County, Ohio, February 24, 1854, and was the second of a family of six children—three brothers and three sisters—of whom one brother and two sisters survive. His father, Thomas B., was born at the Kyle homestead, near Xenia, Ohio, January 24, 1824, and when 7 years of age moved with his father to the then Territory of Kentucky. When it was admitted as a slave State they returned to the Senator's birthplace and near where his father was born. The father served as a Union soldier and officer in the civil war, and in the fall of 1865 with his family moved to Urbana, Champaign County, Ill., where he still resides. The influencing reason for the selection of this home was on account of the proposed location of the State University, affording an opportunity for the education of his children. The Senator's grandfather was

born in Pennsylvania in 1773 of parents who came from Scotland to this country in a very early day. The Senator's great-grandfather, with six brothers, served their country during the Revolutionary war. His mother, Jane Henderson, was born in Westmoreland County, Pa., May 30, 1829, of parents who came from the north part of Ireland.

While living at Xenia, Ohio, the Senator attended the common schools and received his primary education. At Urbana he graduated from the high school and entered the State University at Champaign in 1871. Not being able to secure the course of study he desired, he entered Oberlin College, Ohio, in 1873, and graduated from that institution in 1878. While attending school and the University of Illinois he worked on a farm during vacation, and when at Oberlin College he also worked on a farm and taught school to defray his expenses, and very largely supported himself while obtaining his education. He then entered the Western Theological Seminary at Allegheny, Pa., where he wholly sustained himself by giving private lessons in Greek, Latin, and mathematics until his graduation, in 1882.

April 27, 1881, he was married at Cincinnati, Ohio, to Miss Anna Isabel Dugot, who, with two children, Miss Ethelwyn and James H. Kyle, jr., survive.

After graduating from the seminary and receiving his license to preach, he accepted service with the Board of Home Missions and located at Mount Pleasant, Utah. There he had charge of a seminary in connection with his church duties. To secure a climate more healthful to his wife, he removed to the then Territory, now State, of South Dakota, in 1885, and was in charge of the Congregational Church at Ipswich, in that State, until 1889, when he removed to Aberdeen and became pastor of the First Congregational Church.

At a celebration of the Fourth of July, 1890, at Aberdeen, he delivered a memorable address. A spirit of political unrest pre-

vailed in the State and an advanced position was taken in the remedies proposed. This speech attracted marked attention and provoked much discussion, not only at his home, but throughout the State, and from that date he was well known by all its people. The next day the "Independents" of his senatorial district held their convention, and without effort and against his will a unanimous nomination was tendered. His election followed, and early in January, 1891, the duties of office were assumed. From this period in his career a personal recollection dates.

He was a man of imposing presence, a fine specimen of physical manhood and intellectual force—vigorous in mind, acts, and the accomplishment of results.

To the duties of this office he applied himself with rare fidelity and honesty of purpose, and he immediately won the respect, confidence, and esteem of his colleagues in that body. Although inexperienced in legislation, his evident desire to be right and do right was apparent, and his industry, kindness, and courtesy were unfailing. A just measure commanded his support with the certainty that day follows night, and in the perfection of details he never wearied.

February 16, 1891, he was chosen United States Senator to succeed Gideon C. Moody, receiving the combined Independent and Democratic votes. In 1897 he was reelected for a second term, expiring March 3, 1903. During his term of office he served on the Committees of Indian Affairs, Patents, Territories, Pensions, Irrigation and Reclamation of Arid Lands, Indian Depredations, Forest Reservations and the Protection of Game, and was chairman of the Committee on Education and Labor.

Senator KYLE'S ability for hard and effective work was fully recognized in his appointment as chairman of the United States Industrial Commission, created by act of Congress of June 18, 1898, and the volumes of testimony taken under his personal

direction and supervision and his exhaustive reports upon the subject justified the confidence reposed. He did not live to see the completion of the work of the Commission; but the vast amount of testimony and the great variety of subjects covered in the report show that the plans were well conceived and carried to a successful conclusion. The work done by the Commission will undoubtedly be of great assistance in shaping future legislation.

Another notable and salutary Congressional act proposed and accomplished by him was the designation of Labor Day and making it a national holiday. For all time will this day be recognized and observed by the laborer and his friends. Labor never had a better friend than Senator KYLE, and no one better understood its needs or extended a more sympathetic and helpful hand. As a boy he worked upon the farm to aid in securing the education he so eagerly sought and highly prized; as a man and Senator he did not forget the labor of his youth. His experience taught him the true dignity of labor and its necessity in every walk of life.

In time of the nation's danger party politics are laid aside and animosities forgotten. In the events leading up to and during the Spanish-American war Senator KYLE was not an exception to this rule, although not identified with the party in power. He stood loyally with the President and fearlessly supported the Administration in war measures and in every detail which would assure a speedy and successful termination of the conflict.

When the war ended, Senator KYLE earnestly and consistently worked to secure the ratification of the treaty of peace. He did not stop here. As a true American he kept pace with the progress of our country's development, cheerfully, courageously, and hopefully accepting the burdens necessarily assumed as the result of the war.

Time does not permit a detailed statement of his services as

a member of this body, but the accurate and eloquent tributes of affection and esteem paid his memory by Senators who knew him best show the record and impression he made. He performed every duty to which he was assigned with conspicuous zeal, industry, and ability. His patient attention to the details of business, even when pressed upon him by those not entitled, indicates the kind heart which always influenced him, and his candor and fairness inspired all with confidence.

In manner he was unassuming, caring little for society, bending his whole energy to the performance of official duties. He was charitable in act and thought. His modest, quiet, kindly way endeared him to a host of friends, who mourned his loss with personal grief.

He was a dutiful son, of tender sensibilities and noble impulses, a kind and loving husband and father, an upright, pure, and courteous gentleman, most loved by those who knew him best.

When death called him he was at the zenith of his power, absorbed in public duties with such energy that he was unable to withstand the strain, and the desire, unconsciously in his mind, found expression in his last words, evidencing as well his Christian faith: "Now I shall rest."

Mr. President, I move the adoption of the resolutions submitted by my colleague.

The PRESIDING OFFICER. The question is on agreeing to the resolutions submitted by the Senator from South Dakota.

The resolutions were unanimously agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, April 21, 1902, at 12 o'clock meridian.

Proceedings in the House.

December 3, 1901.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Platt, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. James H. Kyle, late a Senator from the State of South Dakota.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

December 10, 1901.

DEATH OF HON. JAMES H. KYLE.

Mr. Burke of South Dakota. Mr. Speaker, it is my painful duty to announce to the House of Representatives the death of the Hon. James H. Kyle, a Senator of the United States from the State of South Dakota. His death occurred at his home in Aberdeen on July 1, 1901. I submit the following resolutions:

The Clerk read as follows:

House resolution 30.

Resolved, That the House has heard with profound sorrow of the death of Hon. James H. Kyle, a Senator of the United States from the State of South Dakota.

Resolved, That as a further mark of respect the House do now adjourn.

The Speaker. The question is on agreeing to the resolutions.

The resolutions were unanimously agreed to; and accordingly (at 1 o'clock and 44 minutes p. m.) the House adjourned until Friday next.

APRIL 21, 1902.

MESSAGE FROM THE SENATE.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. JAMES HENDERSON KYLE, late a Senator from the State of South Dakota.

Resolved, That the business of the Senate be now suspended, in order that fitting tribute may be paid to his memory.

Resolved, That the Secretary transmit to the family of the deceased a copy of these resolutions, with the action of the Senate thereon.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

Resolved, That as an additional mark of respect at the conclusion of these exercises the Senate do adjourn.

APRIL 26, 1902.

EULOGIES ON THE LATE SENATOR KYLE.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of a resolution which will be reported by the Clerk.

The Clerk read as follows:

Resolved, That Saturday, May 10, following the conclusion of eulogies upon the late Hon. Rufus K. Polk, be set apart for the purpose of paying a tribute of respect to the memory of the late Hon. JAMES H. KYLE, a Senator from the State of South Dakota.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was agreed to.

MEMORIAL ADDRESSES.

MAY 10, 1902.

Mr. BURKE, of South Dakota. Mr. Speaker, I call up the special order for this hour, and offer the resolutions which I send to the desk.

The SPEAKER pro tempore. The gentleman from South Dakota offers a resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That it is with deep regret and profound sorrow that the House of Representatives hears the announcement of the death of Hon. JAMES HENDERSON KYLE, late a Senator from the State of South Dakota.

Resolved, That the House extends to his family and to the people of the State of South Dakota sincere condolence in their bereavement.

Resolved, That as a mark of respect to the family of the deceased the business of the House be now suspended, to enable his associates to pay fitting tribute to his high character and distinguished services.

Resolved, That the Clerk transmit to the family of the deceased and to the governor of the State of South Dakota a copy of these resolutions with the action of the House thereon.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That as an additional mark of respect at the conclusion of these exercises the House do adjourn.

Address of Mr. Burke, of South Dakota.

Mr. Speaker: Little did I realize or imagine when elected to the present Congress that before the expiration of my term death would enter our delegation and remove one of our respected and esteemed members, and yet within a few months Senator Kyle, apparently in good health and comparatively a young man, was suddenly stricken with a severe illness of a brief duration, which terminated fatally, and he was taken from us, and we were called upon to mourn his loss, his death occurring in Aberdeen, S. Dak., July 1, 1901.

His unexpected and untimely death only illustrates the great uncertainty of life, and is another manifestation of the will of a Divine Providence, to which we must all submit, realizing that His will is supreme and His way is best.

This being the occasion set aside for the purpose of paying tribute to our departed and distinguished Senator, in the time allotted to me it will be proper to briefly refer to his history and record in the Senate of the United States, and say a few words appropriate to the occasion.

James Henderson Kyle was born in the State of Ohio, February 24, 1854, and therefore at the time of his death was but 47 years of age. He moved with his parents to Illinois, where he received his early education, attending for a time the State University of that State, where he took a course in civil engineering. In 1873 he returned to Ohio and entered Oberlin College, taking a classical course, graduating in 1878. He at first determined to take up the profession of the law, and spent some time in taking a law course, but later changed his mind

and decided to enter the ministry, and he attended the Western Theological Seminary, from which he graduated in 1882. He began his career as a minister in the State of Utah, and for a time was connected with a seminary at Mount Pleasant, in that State. From Utah he moved to Crested Butte, Colo., where he assumed charge of a church and remained until 1885, when he went to the then Territory of Dakota and located at Ipswich, where he remained until 1889, and removed to Aberdeen, where he became pastor of the Plymouth Congregational Church, and was pastor of this church when elected to the State senate in 1890.

At the time he was nominated as State senator, in addition to his ministerial duties, he was acting as financial secretary of the Congregational College at Yankton, S. Dak., which made it necessary for him to be away from home a greater part of the time, and he therefore gave but little, if any, attention to his political interests and was apparently indifferent to his election. He was, however, elected and took his seat in the State senate when the legislature convened in January, 1891, affiliating with what was then known as the Independent party. There were several candidates for United States Senator, resulting in a very bitter contest lasting for several weeks. Finally a compromise was effected, and the name of Mr. KYLE was proposed, and in a very short time he was elected to the Senate to succeed the Hon. Gideon C. Moody. He entered the Senate March 4, 1891, and at once interested himself in legislation for the benefit and advancement of his immediate constituency and began his record which marked him as a capable, industrious servant of the people, generally commanding the respect of his colleagues.

In 1896 he was a candidate to succeed himself. His party was successful in electing a majority of the legislature, but there

were several candidates for the Senatorship, which developed a strong and heated contest that continued for many weeks, and it ultimately became apparent that Senator KYLE could not be reelected by the majority party and that possibly there would be no election and the State would suffer the loss of having but one representative in the upper branch of Congress. Rather than have this happen, and realizing and recognizing in Senator KYLE a man upon whom the State could depend to faithfully represent its interests, and that he would ever be true and loyal to his country, the Republican minority came to his support, and with the votes of a few of his personal friends of the majority he was successful and again elected to the Senate.

It was at this time that I became intimately acquainted with him, being then a member of the legislature, and I want to take occasion at this time to say that I was personally in a position to know all that occurred in connection with his last election to the Senate, and that nothing transpired leading up to the Republicans in the legislature giving their support to Senator KYLE that was not strictly honorable, and he in no manner compromised himself, and was as free to act and express himself as if he had been elected by the party with which he was affiliating, and it was on account of his independence and manly position, as expressed by him at that time, that I formed a respect and regard for him which resulted in a warm personal friendship between us, and I considered him as one of my intimate friends; and I deeply deplore his death, and mourn his loss as one friend mourns another.

During Senator KYLE'S service in the Senate he was a tireless worker, especially in the interests of his own State, which he dearly loved and for which he accomplished much. He occupied the position of chairman of the Committee on Education and Labor, and always favored any legislation benefiting the laboring classes, and was ever on the alert to advance and

promote the laboring interests. It was largely due to his efforts that Labor Day was made a national holiday, and it was he who was the author of the bill and the originator of the idea. He also introduced the bill, which subsequently became a law, creating the Industrial Commission, of which he was chairman, and the work done by that Commission was very largely under his direct supervision, and the number of its reports is an evidence of what the Commission accomplished, and they contain much valuable information in the way of data and statistics that are now and will be in the future of great value to the country.

Senator KYLE took especial interest in legislation for the benefit of the civilization, education, and advancement of the Indians, and was a member of the Senate Committee on Indian Affairs. He was devoted to the cause of the old soldiers of the country, and as a member of the Committee on Pensions accomplished much in securing the passage of many meritorious private pension bills and securing general favorable pension legislation.

Senator KYLE was not a strong partisan, though pronounced and firm in his convictions, and in his public as well as private life always aimed to be upon the side that his conscience and judgment prompted him was right, and I do not think he was ever challenged or accused of throwing his influence or using his position to promote or advance his own personal or selfish interest, but was invariably, as before stated, found standing for and advocating what seemed to him to be the right.

He was devoted to his country, and during the trying times leading up to the Spanish-American war and its continuance he rose above partisanship, and his vote and influence in the Senate were ever with the Administration, which, in his opinion, represented American statesmanship and patriotism, and his loyalty to his country was greater than what might be

called duty to his party. He did not change from this position in relation to the many questions and problems which arose as a result of the war, but continued to stand with the Administration on all these questions.

He had a very high sense of honor, was extremely conscientious, was devoted to duty, and his integrity was supreme. It was always his ambition to do that which seemed best for his State and the country. Personally he was extremely generous and kind, and invariably responded cheerfully and willingly when called upon to assist a friend or aid one in distress. If he had a weakness, it was that he could not refuse the request of a friend.

His death is a great loss to the State of South Dakota, and he is mourned by all who knew him, without regard to politics. He will long be remembered for what he accomplished in his public career and for his many acts of kindness extended to those who called upon him for assistance, and although he is no longer with us in life his memory will long be cherished by the people of his State and his friends throughout the country.

He was possessed of a noble character, generous to a fault, unselfish, and ever striving to do good for his country and his fellow-men. It may be well and truly said that he was a statesman, a loyal citizen, a good neighbor, a devoted husband and father, and a true Christian man.

Address of Mr. De Armond, of Missouri.

Mr. Speaker: Most of those who enter Congress come from the profession of the law or of medicine, the bank counter, the business world, or the farm. James H. Kyle came to the Senate from the clerical profession, and was one of a few from that class who served in Congress during the time of his incumbency. Many times, no doubt, in following his calling as a clergyman he had occasion to speak feelingly and soothingly over the remains of the dead. Many times, no doubt, in his ministry he dwelt upon the virtues of the departed, gave consolation to the stricken, and drew a moral for the benefit and guidance of all. And of him, as one numbered with the dead, we speak to-day.

Pursuing his duties as a clergyman in the agitating time and political upheaval of 1890, he was caught in the sweep of the reform movement that passed over the West, touched with the general dissatisfaction with conditions then existing, and thrilled with the genenal desire for a change. New to the political field, he very naturally became as enthusiastic upon the questions then agitating the masses as his temperament and his calling would permit. Elected to the State senate, he served but a short time, when, at the end of a bitter contest, he was taken up and elected to the United States Senate.

It happened during a portion of his service here that I was quartered in the same house at which he also lodged, and naturally we became quite well acquainted, and naturally, too, we and others of similar minds upon many of the political questions of the day often talked over the issues and the prospects.

At that time Senator KYLE was full of the sentiments which animated and directed the course of those who had placed him in office. He was full of the reform movement of the day, full of the belief that legislation had been turned into the wrong channels, that the many had not derived from lawmakers and laws and the executors of the laws the benefits and security justly due them, and that something ought to be done to change the general course—the lawmakers should look to and strive to promote and protect the interests of the many to a greater extent and the interests of the few to a lesser extent.

That Senator KYLE was an amiable man, kindly disposed, and of generous impulses, I think all who knew him can truthfully testify. He was not aggressive nor obtrusive. He had that amiable disposition, was of that well-balanced and placid temperament which always go with regard for the feelings, opinions, and interests of others. He never pushed, in an aggressive way or in an offensive manner, his own opinions or projects. He passed through his Senatorial service in a quiet and unostentatious, undemonstrative way, at a time when there was a good deal of turmoil and a good deal of feeling in the political world.

As his first Senatorial term approached its close and the time came for the election of his successor, those who knew his sentiments and feelings and his course here were hopeful that he might be returned. I recollect talking with him upon the eve of departure for the West, for the contest which, before his return, would be settled; for before he would be with us here again it would be known whether he would come as the Senator-elect or as the defeated aspirant for the Senatorial succession. It was known that the party with which he affilated had a small majority in the legislature of his State, and the only question seemed to his friends here to be whether that majority party would unite upon him or whether some other member of his

party would be successful in getting its support. It was found that the Senator's party was not for him. His party wished him to retire that it might honor another with the Senatorship.

Again a bitter contest ensued. Again a deadlock occurred, and finally, after much balloting and many conferences, and a great struggle, Senator KYLE was reelected, as was stated by the eloquent gentleman from South Dakota [Mr. Burke], by a few votes of his own party and the solid vote of the opposition party. He won—his party was defeated.

Naturally, when he came back, it was appreciated by those with whom he had been associated politically that a change had taken place in his relations to political parties, and that probably a change would take place in his relations to political questions. So, no surprise was expressed when, later on, he became affiliated with the majority party in Congress, the Republican party, which he had first opposed, but which in his second election had returned him to the Senate.

I do not think there was any harsh criticism of him; certainly not here. I know not how it was in the State in which he dwelt. It is not for me, or for anyone, recklessly, to say that his change of sentiment did not correspond and entirely keep pace with his change of party. He was educated at Oberlin. Republicanism was deeply instilled into him in his youth. He went to Dakota no doubt an intense Republican. A movement for reform which swept over the country carried him from the party of his fathers, from the party of his earlier devotions, into another, and it is not so remarkable that under changed circumstances he again became fast in the faith which was his early faith, and turned from the course which for a time he had followed.

He was a kindly man, of generous impulses and blameless private life. No feelings except kindly feelings can be entertained of him personally by those who knew him here. He

has passed off the stage, gone in the prime of life, gone with the largest portion of the strongest years of life, in the ordinary course, cut off.

To be a Senator of the United States is a great honor. To have the esteem and veneration of the people who elect Senators is something to strive for and to be proud of. If one retain that esteem and veneration after the Senatorial office is gone, until life itself is gone, his memory becomes a rich legacy.

As one who knew Senator KYLE, and whose relations with him were pleasant and kindly, as one who esteemed him for his virtues in private life and who has no judgment to pass upon his political faults or failings—no one is perfect—I lay my tribute of personal respect upon his bier.

Address of Mr. Marshall, of North Dakota.

Mr. Speaker: It was not my pleasure or profit to have known James Henderson Kyle well in the sense of having met him often, or to have spent any considerable time with him. On the contrary, although we were near neighbors, but little opportunity was offered to know him through the ordinary means by which men know each other, and I must therefore leave to others the office of speaking of him from the standpoint of close acquaintanceship, and who can better give the particulars of his birth, education, and life.

But we may know a man well and divine his character through the medium of a multitude of mutual friends, and thus view him through an atmosphere that neither magnifies, reduces, or refracts.

The true likeness of a man in active public life is reflected as in a mirror from the people among whom he lived and labored.

For over a year it was my pleasure to spend the greater part of my time among the people who knew Senator Kyle best and came in close contact with his home constituents, and there was thrown on my mind and heart a composite picture of the man which I shall never forget and which I shall ever cherish as one of the pleasant memories of my life. That picture is the average of the views of a great number of people, and is neither colored by friendship nor distorted by dislike. All narrow individual views merged, interwoven, and overshadowed into one, and the picture of the true man stands forth in my mind clean-cut, complete in outline, and beautiful, and I regret that these feeble words of mine can not reproduce for you the picture of this man.

The men are few in active political life who have the intel-

lectual and moral strength to withstand the searchlight of daily familiarity with a large local constituency and rise above local jealousies and criticisms.

Few there are who can stand forth unsullied, transparent, and flawless under the X-ray of public opinion, but Senator KYLE was such a man.

Having been educated for the ministry and followed the profession, Senator KYLE, inexperienced in politics, was suddenly injected into official life by one of the strange circumstances which are so apt to arise in Western politics, and at a time when political issues were at fever heat.

He stepped from the place of a minister of the gospel and financial agent of a church college to State senator, and from there to the highest office in the gift of the entire people of a State. Thrown into the place by a veritable political maelstrom of contending factions—elected under the most trying circumstances by the union of opposing and radically differing parties—through it all, and in all the years that followed, he was the same clean, earnest, honest, unassuming, kindly, manly man and Christian gentleman that he had been in the past.

Although in high political station, he did not grow away from his friends, the common people, as he climbed fame's ladder, but he seemed to cling the closer to the plain people—friends and fellow-citizens of his early life—and as years and honors were added to his eventful life, commanded more and more their respect and confidence.

As a result of Senator KYLE'S parentage, education, and temperament, he was most interested in educational work and the interests of the industrial classes.

His laborious duties as chairman of the Industrial Commission, into which he threw all his splendid energies, had not a little to do with hastening his untimely death, and his strongest desire to live was actuated by a wish to complete this work.

Mr. Speaker, to my mind the life of Senator KYLE teaches a fruitful lesson and shines forth as a beacon of hope for this Republic.

His simplicity, sincerity, and honesty were forceful. To such men can the administration of this Government be safely intrusted.

The greatest safeguard of this nation lies in the fact that to such men are offered opportunities to exemplify their character to the people and imprint their handiwork on the laws of the land.

So long as men of pure lives, unselfish motives, and untiring devotion to the interests and welfare of the masses from whom they sprung can sit in the council chambers, the peers of any, this Government is amply safeguarded and will survive.

There are innumerable features of our governmental system of which we are justly proud, and with ample reason, but to my mind all others are of little moment compared to the fact that the plain men of simple tastes and inexpensive habits, pure and unselfish motives, are the rulers of this land.

Where one man attains high station through his riches, ten men of the stamp and mold of Senator KYLE reach equal station, and wield, man for man, infinitely greater influence in the affairs that shape our destiny.

Here, then, is the secret of the greatness and stability of this Government. As the "hewers of wood and drawers of water" contribute to our material and physical welfare, so it is such legislators as Senator KYLE who are the real men to whom our political and economical welfare is vouchsafed, and well so. Of such are the truly great.

Having been thrown among and having had to deal with politicians for many years, he was in no sense a politician, nor would he have ever become one. To him the methods of the politician were unknown and misunderstood.

He was alike frank in his politics and his business. Honest himself, he thought all men honest, trusted all men, confided in all men. To him an implied promise was as sacred as an oath, and he accepted such promises in the same spirit he gave them.

Such characteristics are usually termed weak. To my mind they are the essentials of strength.

He who is clothed in the armor of sincerity, with truth for a shield and honesty for a sword, can go forth and do battle, and him all the world can not conquer. Such a knight was JAMES HENDERSON KYLE.

Simple in his tastes, frank in all his dealings, trusting and forgiving in his nature, conspicuous in his devotion to his family, with an ability which enabled him to cope with the questions of the times with an unerring intelligence, he commanded the respect of all.

I was in his home city the day after his death, and knowing that he had been sick, although not supposed to be seriously so, I could read his death in the face of everyone.

I never saw—I never expect to see—such an overwhelming manifestation of grief and sorrow by an entire community as I saw on this day and the day of his burial.

From his life, as exemplified by the love and sorrow of all the people, I learned a lesson never to be forgotten, and realized that the greatest of great men and the best of good men are those that are close to the people.

I realized then that the zenith of a man's glory is reached when at the noontide of his public career he can lie down to his eternal sleep, truly loved, respected, honored, and mourned by all the people—those of high estate and low.

Such a man was our dead friend.

Address of Mr. Bell, of Colorado.

Mr. Speaker: Hon. James Henderson Kyle was one of the most versatile as well as one of the most liberally equipped representatives of the people in the United States Senate, considering his short term of service, in his day and generation.

His qualifications as a classical scholar, a civil engineer, a theologian, and his education for the bar gave him a theoretical knowledge that enabled him to become somewhat a shining mark among his fellows almost anywhere. With general public questions and current and political literature he was quite familiar. He was for a time instructor in mathematics and engineering in the Western Theological Seminary at Allegheny, Pa.; he preached in Utah and Colorado; was secretary of the Yankton College, in South Dakota; was elected to the State senate of that State in 1890 as an independent representative of the people; was elected twice as United States Senator from South Dakota; appointed by the President of the Senate as a member of the United States Industrial Commission; was elected president of the Commission, and held this post when his untimely death arrived, at the age of 47. He was not mercenary and despised the low ideals of many in high places in this money-mad age, both in the professions and in official positions.

He was not a politician in the sense that he worked up delegations and sought to precipitate himself into public place, but he was a politician in the higher sense of so equipping himself in the science of government and in a knowledge of the rights

of men and in so displaying his humane feeling for his fellows that the people who knew his sterling qualities sought him as their representative. He was of that high type of the politician who are ever unselfishly trying to do something for the masses of the people. As is common with men burdened with constitutional circulatory weaknesses, he did not and could not inordinately concentrate his efforts on any given specialty. His impaired physical condition would not tolerate the strain. Biographers usually attribute the scattering of mental efforts to a love of variety or a dislike of monotony, but more generally the spreading out of mental effort is a necessity to relieve some innate weakness from a threatened collapse.

The lamented deceased realized much better than others the situation, and with courage attempted to shield the weak vital part. He had a small clot form upon his brain some time before the fatal breakdown, which was a sure admonition of what must follow. However, with discretion and courage, after the clot was absorbed, he returned, weakened, to his post and remained there until the last.

He was a model public official, honest, sympathetic, just, energetic, courageous, true, and able. Being honest himself, he devoutly believed in the honesty and good intentions of his fellows; hence he approached his colleagues with explanations and persuasive arguments rather than with accusations and abusive epithets. He was kind, generous, and charitable toward all who differed from him. There was no assumption, selfishness, egotism, or bigotry in his make-up. He utterly despised the selfish bigotry that so often permeates professional and official representatives.

He was always willing to occupy ordinary places among his associates, a real sign of worth; hence he was often exalted. Probably the most attractive attribute of this exemplary character was his sunny, generous, open, social disposition. He

was a delightful conversationalist, tactful, deferential, entertaining, and a model of courtesy. His social ideas were all elevated; hence the higher type of the social circles were most congenial to him. He loved the intellectual rather than the frivolous or spectacular displays. He was temperate in all things; hence generally wise.

He possessed mental powers for high social entertainments, and was not contented with the commonplace, sensual gluttonies so common in his day. He enjoyed those most whose thoughts ran upon social subjects tending to benefit those who occupied low stations, and he was especially well versed in a knowledge of the existing evils, and he had read much and thought much about adequate remedies. He had a most profound sympathy for the unfortunate, and was ever ready to impartially hear their grievances or champion their cause. The premature death of such a one is not only a great loss to his family, friends, State, and nation, but is a real loss to humanity everywhere. The life of high ideals, the spotless private and public character, the consecration of self to the good of one's fellows are the most sacred assets of the world's civilization. Such a character as the deceased form adorable models for many generations yet to be born. Many aspiring youths, of South Dakota especially, where the precepts and examples of this well-rounded character are so impressed upon the people, will imitate the worthy footsteps of this lamented one to the continuing honor and glory of the race.

While we sadly deplore his untimely death, we may all benefit by the beautiful example of his well-spent life.

Address of Mr. McCleary, of Minnesota.

Mr. Speaker: It was not my privilege to know Senator Kyle well, but I knew him well enough to respect and honor him.

This morning, on my way to this Hall, remembering the courteous invitation of yourself to say a few words in honor of our departed friend, the earth bright with sunshine, the air fragrant with the perfume of flowers and melodious with the song of birds, it seemed strange to think of death and the dead. And yet, here within our sight one desk is draped for one lately a member of this House and from two other desks the drapery of death has just been removed. We are impressed again with the fact that "in the midst of life we are in death."

If our friend were to whisper his wish at this time, I am sure he would say, "There could be no better time than this to speak of me. This is the springtime. The winter has passed and life is renewed." He would say, "Look at the trees and their leaves, and see there the symbol of human hope. In the springtime come forth the buds like the hopes of youth. Later we see the tree in full foliage, the hopes of manhood fully developed. Later comes the time when, one by one, those leaves do fall like the passing away of hopes among men. We walk through the woods in the autumn; our feet stir the leaves that have fallen, suggestive of hopes unrealized. Yet those fallen leaves ministered to the life of the tree through the heat of summer, just as the hopes of youth sustain the lives of men." And, Mr. Speaker, he would say to us further, remembering the ministry from which he came, "I trust, my brethren, that after the

storms of life have passed there will yet remain at the top of the tree one leaf pointing skyward. If you have that hope, you may indeed be called blessed."

The first time I heard of our departed friend was when he was chosen to the United States Senate. The singular thing about it was that he was chosen from the ministry. I had not within my recollection heard of such a case before. I did not understand it. I came to understand it later. I heard then the story of that Fourth of July oration in 1891. The regular speaker expected for the occasion had failed to come. The minister was called upon, and he so fully voiced the thought of those who heard him that they said, "That man is the one whom we desire to have represent us in our State legislature, in the senate." And to that position they called him.

Later, and again without solicitation, as I understand, he was called to the broader field of the United States Senate. If I understand our friend at all, Mr. Speaker—and from several conversations I had with him I think I do—he felt justified in coming from the sacred desk to the desk of legislation. Trained as he was and believing as he did, it was not hard for him to see in this a call to duty different in form, but the same in essence—the service of his fellow-man. And in that spirit he met and discharged his duties here. It is the spirit which sanctifies every relation of life. It made him a loyal friend, a faithful public servant, a devoted son, a loving husband and father.

Address of Mr. Stark, of Nebraska.

Mr. Speaker: By order of the House this time is set apart for tributes to the life and public career of James H. Kyle, late a Senator from South Dakota.

I have read that, time out of mind, in the earliest civilization which is of record, the Egyptians thought it wise to preserve the morality and practices of the people, to institute a law requiring the "trial of the dead." The men followed the hearse, casting dust upon their heads; the women chanted mournful dirges until they reached the banks of a lake directly in front of the place of sepulcher. The body, which had been specially prepared, was placed in front of the court, made up of 42 judges. A great crowd was usually assembled. There floated the boat, and within it stood Charon, the ferryman, waiting to hear the sentence of the court.

It was in the power of any man to then and there accuse the departed before the body could be borne across. If the charge was held to be proven, the body was denied burial in consecrated ground and the crowd silently went away. If the judgment was "not guilty," the accuser suffered the penalty of the crime alleged. The relatives glorified the life, and the people joined in the chorus proclaiming the virtues of the departed. The coffin was placed in the boat with great ceremony and was covered with flowers. The priest read the order for the burial of the dead and the family adorned the tomb.

Down through the ages, carried by the inertia of custom, we can yet see the embalming of the dead, the mourners, the tombstones, and the flowers. We can yet hear the chants and the offices for the dead. The 42 judges became the foundation of the grand-jury system, passing on the acts of the living

instead of the dead. A maxim was written in the law books, "that death having closed the lips of one, the law sealed the lips of the other." One who spoke by authority had said, "Judge not, that ye be not judged." It had been written "that when the books of record were opened the dead would be judged out of those things written in the books according to their works." Humanity now, with meekness, leaves the judgment of the dead to the Father of us all.

And so this day, perhaps within the shadow of this ancient custom, we stop and pay tribute to the character and influence of the life that has gone out. Not as a relative, not as a perfunctory duty, but as a living expression from the heart of a friend, each of us attempts in a feeble way to point out the lesson of the life of our former colleague. When I began my service here, among the first Senators that I met was Mr. KYLE, of South Dakota, a fine specimen of physical manhood, with winning ways. From an adjoining State, I went over many matters with him which appeared to be of interest to the great Northwest. He had been on the frontier and so had I; we had had common experiences.

Along his chosen political lines he was a faithful and energetic worker. A new State, made up of prairie, range, and hills, makes many demands upon its Senators, and he shouldered up to his task like one who desired to do a full day's work.

I was glad to be his friend, although not in accord with all of his political views. Therein lies the strength of our institutions. We can differ and still respect the convictions of others. He had great force of character; had carved his own way—student, minister, State senator, and United States Senator. His life shows the possibilities of this country of ours. We honor ourselves, we honor this Hall, when we stop the work and grind and pay just tribute to a good man who has gone to his reward, and certainly in that class belonged Senator JAMES H. KYLE.

Address of Mr. Martin, of South Dakota.

Mr. Speaker: In the death of Senator Kyle the State of South Dakota mourns a faithful representative; his family has lost a devoted husband and father, and the Senate of the United States an honorable and honored member. He was stricken down in the midst of his labors, before reaching the meridian of life. And yet, if we measure his life by events and deeds, instead of the passing years, his was a full and well-rounded career.

> We live in deeds, not years; in thoughts, not breaths;
> In feelings, not in figures on a dial.
> We should count time by heart-throbs. He most lives
> Who thinks most, feels the noblest, acts the best.

Senator Kyle was but 47 years of age at the time of his death. He had spent ten years in the pursuit of higher and professional education, taking courses in civil engineering, the classics, and theology, besides studying law; nearly ten years in the Christian ministry in Congregational churches in Utah and South Dakota, and ten years in the Senate of the United States.

From the farm to the highest legislative body in the world. This is the epitome of his life. This is a transformation common in the history of our country. The sons of toil, the lads from the farm, the workshop, and the homes of laboring men, are the boys who have come forth from generation to generation to accomplish the great things in the trades and the professions, and to make the greatest of American statesmen. This is one of the beneficent results of our democratic institutions, which recognize in every man the political equal of every

other man, and, as far as possible, assure to each an equal opportunity in the race of life.

I first saw Senator KYLE in 1891 during the session of the State legislature that elected him to his first term in the Senate. From that time his career was familiar to all citizens of South Dakota; but I did not become personally well acquainted with him until the last year of his life. I shall not forget the cordiality with which he greeted me when I came here a new member to attend the closing days of the Fifty-sixth Congress, nor the many acts of fraternal consideration performed by him during the few months while we were in public station together. He was manly, open-hearted, and generous, extending and inviting gentlemanly confidence.

Born in Ohio and educated in Ohio and Illinois, he found the natural field of his active labors in the trans-Mississippi and intermountain West. He was a self-educated man. By this is not meant that he did not have the advantage of a college education, but that he earned the means to carry him through college and the professional school by working in vacations and by intervals of teaching. American history is rich in examples of boys who have worked their way through college, thus learning their first great lesson in the mastery of difficulties, preparing themselves for greater conflicts and victories in the later experiences of life. Senator KYLE belonged to that class of self-educated men who, born with pure purposes and high ambitions, mark out a noble career for themselves, and then prepare for it with indomitable zeal, overcoming all obstacles. He equipped himself with the aids of a collegiate education, and then continued to improve his educational opportunities throughout his life.

We have no evidence that he had planned a public or political career for himself. His sense of duty had led him to choose the Christian ministry for his life work. He entered public life

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during a period of political unrest and at the solicitation of his neighbors and friends, who had confidence in his ability and character. Senator KYLE was not a party man. He was by nature a reformer. Possessed of high ideals, he sought their accomplishments by whatever seemed to him the most practical and available means. Such a man is not always understood, particularly by those who feel deeply the force of party ties and who look to party organizations as the natural and necessary means of political progress.

It was a most appropriate assignment that placed him in charge of the Senate Committee on Education and Labor. No two topics in our complex modern life were of greater interest to him than these. His studies and tastes prepared him especially for this position. He held this chairmanship eight years, and until his death.

When the Industrial Commission was appointed by President McKinley in 1898 Senator KYLE was made its chairman. The work of this Commission was right in line with his previous labors and he was specially equipped for it. The work of the Commission was of a most laborious character. It is believed that Senator KYLE'S devotion to this task permanently impaired his health and was one of the causes resulting in his death. The compilation of the investigations of the Commission embrace some nineteen volumes, many of which are already published. The work of Senator KYLE as chairman of this Commission constitutes his most important public service. The value of these investigations will be more and more appreciated by the entire nation as the years go by. The Industrial Commission was one of the most important commissions of this generation.

The problems the solution of which is to be assisted by the investigations of this Commission are among the most difficult problems of this industrial age—the relations of capital and

labor and the relations of each to the Constitution and the laws of the country—how the interests of each may be fostered and advanced without injury to the rights of the other and consistent with the best good of the Commonwealth. The best contribution that can be made to any great problem is a clear presentation of the facts involved. The most serious and acrimonious disputes over industrial and political questions are based upon an imperfect or inadequate knowledge of the facts. When the real facts are once clearly understood the problem is more than half solved. The volumes of the Industrial Commission will make a permanent addition to the industrial library of our country, and will probably furnish the most important single aid in the solution of our industrial problems.

Senator KYLE was an ardent believer in the rights of the individual. In the shaping of legislation his instincts naturally led him to watch closely the possible encroachments of organized industries, and to jealously safeguard the interests of the individual operator or laborer. In this he was in line with the more progressive of modern statesmen. The evolution of human government, indeed, is the development of the rights of the many as distinguished from the rights of the few. Until the beginning of modern history the many came into their inheritance of toil, but not of opportunity. There was a time when but few men were masters of themselves, and they were also masters of others. To-day slavery is not tolerated in the civilized world. For a long peroid in history the spiritual interests of the many were dominated by the spiritual imperialism of the few. To-day religion and the development of the spiritual life are subjects for the individual soul and the individual conscience. For many generations more knowledge, limited and imperfect as it was, was likewise the exclusive property of the few. It was doled out to the people in small quantities, and with modifications and adul-

terations. To-day, in America, knowledge is disseminated to the humblest homes, and is the birthright of every citizen.

Senator KYLE had not a feigned but a genuine interest in the welfare of the common people. In the ministry, as in the Senate, he devoted himself to what he believed to be their best interests. A man of correct life and high ideals himself, he sought to elevate the standards of American life as it is lived by the great body of the people. A man with such aims and efforts can never live in vain. He passes on and disappears from the familiar places, but his name and memory abide, like the lingering fragrance of sweet flowers, a benediction and an inspiration to those who knew him best.

Mr. MARTIN. I move the adoption of the resolutions presented by my colleague.

The SPEAKER pro tempore. The question is now upon the adoption of the resolutions.

The question was taken; and the resolutions were unanimously agreed to.

And in pursuance thereof the House (at 2 o'clock and 23 minutes p. m.) adjourned.

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